

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

LUTHER McCASKILL,

Petitioner,

Criminal No. 02-80216-02

vs.

Civil No. 08-10812

UNITED STATES OF AMERICA,

HON. GEORGE CARAM STEEH

Respondent.

_____ /

ORDER DENYING PETITION FOR RECONSIDERATION [DOC. 143]

This matter is before the court on Luther McCaskill's petition for reconsideration of the Court's order dismissing his petition for writ of habeas corpus. The Local Rules for the Eastern District of Michigan state that in a motion for reconsideration "the movant must not only demonstrate a palpable defect by which the court and the parties have been misled but also show that correcting the defect will result in a different disposition of the case." L.R. 7.1(g)(3). A "palpable defect" is a defect, which is obvious, clear, unmistakable, manifest or plain. Marketing Displays, Inc. v. Traffic Devices, Inc., 971 F. Supp. 262, 278 (E.D. Mich. 1997), *citing* Webster's New World Dictionary 974 (3rd Ed. 1988). Further, the Local Rules also provide that any "motions for rehearing or reconsideration that merely present the same issues ruled upon by the court, either expressly or by reason of implication" shall not be granted. L.R. 7.1(g)(3).

Petitioner has not demonstrated that a palpable defect occurred in this court's decision to dismiss the petition for a writ of habeas corpus. This court does not find error

in its previous judgment and hereby DENIES petitioner's motion for reconsideration.

SO ORDERED.

Dated: August 18, 2008

s/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on
August 18, 2008, by electronic and/or ordinary mail.

s/Josephine Chaffee
Deputy Clerk